

FILED 10 APR 20 11:51 USDC-ORM

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
MEDFORD DIVISION

CASEY LEE JOHNSON,

Case No. 09-CV-693-PA

Petitioner,

**ORDER ON STIPULATED
VOLUNTARY DISMISSAL**

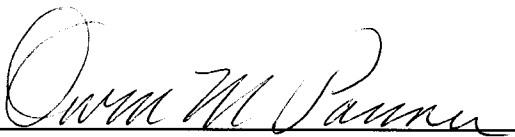
v.

MARK NOOTH,

Respondent.

IT IS HEREBY ORDERED that the Petition for Writ of Habeas Corpus is dismissed without prejudice. After Petitioner exhausts his post-conviction claims, Petitioner has leave to reopen the case, and the limitations period shall be tolled, until 241 days after the date the Oregon appellate courts enter the Appellate Judgment in Petitioner's post-conviction proceedings. After the Appellate Judgment enters and Petitioner moves to reopen this case during the above-referenced 241-day period, Petitioner may also amend the petition as of right so as to properly plead all claims, including his post-conviction claims, in this Court. If the case is reopened, Respondent may assert any procedural defense that was available when this Order issued.

DATED this 19 day of April, 2010.


The Honorable Owen M. Panner
United States District Court Judge

PRESENTED BY:

/s/Kristina Hellman
Kristina Hellman
Assistant Federal Public Defender
Attorney for Petitioner